

RECEIVED
CENTRAL FAX CENTER

JUN 11 2004

FAX TRANSMISSION**OFFICIAL**

DATE: June 11, 2004

PTO IDENTIFIER: Application Number 09/163272-Conf. #9801
Patent Number

Inventor: Jonathan DINSMORE

MESSAGE TO: US Patent and Trademark Office
ATTENTION: ANNE MARIE FALK
GROUP ART UNIT: 1632

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP
Megan E. Williams

PHONE: (617) 227-7400

Attorney Dkt. #: DNI-041RCE

PAGES (Including Cover Sheet): 10

CONTENTS: Supplemental Information Disclosure Statement (2 pages),
Transmittal Letter (1 page)
PTO Form SB/08 (1 page);
Copy of Cited Reference (6 pages).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/97 (12-97)

Approved for use through 9/30/00 OMB 0851-0031

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on June 11, 2004
Date


Signature

Megan E. Williams
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper

Supplemental Information Disclosure Statement (2 pages);
PTO Form SB/08 (1 page);
Transmittal Letter (1 page); and
Copy of Cited Reference (6 pages).

**LAHIVE
&
COCKFIELD**
LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE JR. (1925-1997)
THOMAS V. SMURZYNSKI
GIULIO A. DUONTI, JR.
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DEANN FORAN SMITH
WILLIAM A. SCOFIELD JR.
SIBLEY P. REPPERT
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CUKRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.
LISA DIROCCO TYNER

HATMAWAY P. RUSSELL
MARIA LACOTRINE ZACHARAKS, Ph.D.
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUNHOON LEE
MANEESH GULATI
CYNTHIA M. SOROCOS
PETER W. DINI, Ph.D.
MICHAEL J. BASTIAN, Ph.D.
CHRISTOPHER J. MCKENNA

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
JEANNE M. DI GIORGIO
CYNTHIA L. KANIK, Ph.D.
JOHN D. LANZA

PATENT AGENTS
THEODORE R. WEST
JONATHAN M. SPARKS, Ph.D.
ANDRINA WILLIAMS ZINK
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.
JAMES H. VELEMA

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB C. WEINTRAUB
DEBORAH L. NAGLE, Ph.D.
ANNE JACQUELINE WIZEMAN, Ph.D.
BRIAN C. TRINQUE, Ph.D.
CHRISTOPHER R. COWLES, Ph.D.

* Admitted to TX only
** Admitted to CT only

June 11, 2004

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 09/163272
For: *PORCINE SPINAL CORD CELLS AND THEIR USE IN SPINAL CORD REPAIR*
Inventor: DINSMORE, Jonathan
Filed: September 29, 1998 (RCE filed May 24, 2004)
Our Ref. No.: DNI-041RCE

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement (2 pages);
2. PTO Form SB/08 (1 page); and
3. Copy of the publication cited in PTO Form SB/08 (6 pages);

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.


I hereby certify the enclosed documents for the case referred to above are being transmitted via facsimile to the U.S. Patent and Trademark Office, and addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 872-8306, on the date shown above.

June 11, 2004

Date

Megan E. Williams, Esq., Reg. No. 43,270

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Megan E. Williams, Esq.
Registration No. 43,270
Attorney for Applicant

LAHIVE & COCKFIELD LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE JR. (1928-1997)
THOMAS V. SMURZYNSKI
GIULIO A. DECONI JR.
ELIZABETH A. KANLEY
AMY BAKER MANDRACOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DAANN FORAN SMITH
DEBRA J. MILASINIC, Ph.D.
WILLIAM A. SCOFIELD JR.
SIBLEY P. REPERT
DAVID J. KUKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.
LISA D'ROCCO TYNER

NATHAN P. RUSSELL
MARIA LACOSTRE ZACHARAK, Ph.D.
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUMMOON LEE
MANEESH GULATI
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
MICHAEL J. HASTIAN, Ph.D.
CHRISTOPHER J. MEKENNA

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
JEANNE M. DIGIORGIO
CYNTHIA L. KAHN, Ph.D.
JOHN D. LANZA

PATENT AGENTS
THEODORE R. WEST
JONATHAN M. SPARKS, Ph.D.
ANDREA WILLIAMS ZINK
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.
JAMES H. VELEMA

TECHNICAL SPECIALISTS
CATHERINE M. SHOP
JACOB G. WEINTRAUB
DEBORAH L. NACLE, Ph.D.
ANNE JACQUELINE WIZEMAN, Ph.D.
BRYAN C. TRINQUE, Ph.D.
CHRISTOPHER R. COMLEX, Ph.D.

* Admitted in TX only
** Admitted in CT only

June 11, 2004

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re. U.S. Patent Application No.: 09/163272
For: *PORCINE SPINAL CORD CELLS AND THEIR USE IN SPINAL CORD REPAIR*
Inventor: DINSMORE, Jonathan
Filed: September 29, 1998 (RCE filed May 24, 2004)
Our Ref. No.: DNI-041RCE

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

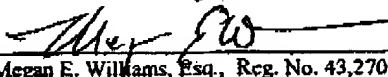
1. Supplemental Information Disclosure Statement (2 pages);
2. PTO Form SB/08 (1 page); and
3. Copy of the publication cited in PTO Form SB/08 (6 pages);

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

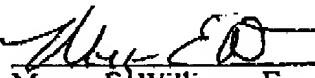
I hereby certify the enclosed documents for the case referred to above are being transmitted via facsimile to the U.S. Patent and Trademark Office, and addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 872-8306, on the date shown above.

June 11, 2004

Date


Megan E. Williams, Esq., Reg. No. 43,270

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Megan E. Williams, Esq.
Registration No. 43,270
Attorney for Applicant

RECEIVED
CENTRAL FAX CENTER

JUN 11 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re the application of: Dinsmore, Jonathan

Serial No.: 09/163272

Filed: September 29, 1998 (RCE filed May 24, 2004)

For: *PORCINE SPINAL CORD CELLS AND THEIR
USE IN SPINAL CORD REPAIR*

Attorney Docket No.: DNI-041RCE

Group Art Unit: 1632

Examiner: Falk, Anne Marie

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450Certificate of Facsimile Transmission

I hereby certify the enclosed documents for the case referred to above are being transmitted via facsimile to the U.S. Patent and Trademark Office, and addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 872-8306, on the date shown above.

June 11, 2004

Date of Signature and of Mail Deposit

By: 

Megan E. Williams, Esq.

Reg. No. 43,270

Attorney for Applicants

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant and his Attorney have become aware of the following publication and information, cited in a Canadian Office Action mailed September 11, 2003 during the prosecution of CA 2335601 which corresponds to the above referenced application. In accordance with 37 CFR §1.97, Applicant hereby submits this publication for the Examiner's consideration. This publication is cited on the enclosed PTO Form SB/08, and a copy of the the publication is enclosed.

Serial Number: 09/163272

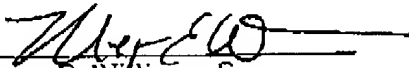
Page -2-

Group Art Unit: 1632

This statement is not to be interpreted as a representation that the cited publication is material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of the publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicant understands that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(b)(4), no additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Megan E. Williams, Esq.
Registration No. 43,270
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: June 11, 2004

MEW/CEH/kvj
Enclosures

PTO/SB/08-a/b (08-03)

Approved for use through 07/31/2006 OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known		
				Application Number	09/163272	
Sheet		1	of	1	Filing Date	09-29-98 (RCE filed 05-24-04)
					First Named Inventor	Dinsmore, Jonathan
					Art Unit	1632
					Examiner Name	Falk, Anne Marie
					Attorney Docket Number	DNI-041CPA

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	B1	Isacson, O. et al. "Transplanted xenogeneic neural cells in neurodegenerative disease models exhibit remarkable axonal target specificity and distinct growth patterns of glial and axonal fibres." <i>Nat Med.</i> 1995 Nov;1(11):1189-94.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--